

Notice of Allowability

Application No.

09/523,604

Examiner

John Pezzlo

Applicant(s)

NORRIS ET AL.

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to terminal disclaimer filed 19 February 2004.
 2. ☒ The allowed claim(s) is/are 1-57.
 3. ☐ The drawings filed on _____ are accepted by the Examiner.
 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ ^{FORMAL} CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other: _____

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DETAILED ACTION

Allowable Subject Matter

Claims 1-57 are allowable over the prior art of record.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Applicant has claimed uniquely distinct features in the instant invention, which are not found in the prior art, either singularly or in combination. Each independent claim identifies the following uniquely distinct features:

1. Regarding claim 1 - A method of processing a telephone call from a calling party intended for a called party whose telephone line is in use by a data terminal, said data terminal having an established connection to the Internet via said telephone line, comprising the steps of: receiving said call intended for said called party, sending a message to said data terminal via said telephone line to alert the called party of said call, and receiving a message from said data terminal via said telephone line, the received message including a call disposition election made by said called party for said call.
2. Regarding claim 16 - A method of processing a telephone call from a calling party intended for a called party whose telephone line is in use by a data terminal, said data terminal having an established connection to the Internet via said telephone line, comprising the steps of: receiving said call intended for said called party, sending a

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message to said data terminal via said telephone line to alert the called party to said call, receiving a message from said data terminal via said telephone line, the received message including a call disposition election made by said called party for said call, and in response to said call disposition election, routing said call to said data terminal via said telephone line so that said calling party may communicate with said called party.

3. Regarding claim 26 - A method of processing a telephone call from a calling party intended for a called party whose telephone line is in use by a data terminal, said data terminal having an established connection to the Internet via said telephone line, comprising the steps of: receiving said call intended for said called party, sending a message to said data terminal via said telephone line to alert the called party to said call, receiving a message from said data terminal via said telephone line, the received message including a call disposition election made by said called party for said call, and in response to said call disposition election, routing said call to a voice mail system.

4. Regarding claim 34 - A method of processing a telephone call from a calling party intended for a called party whose telephone line is in use by a data terminal, said data terminal having an established connection to the Internet via said telephone line, comprising the steps of: receiving said call intended for said called party, sending a message to said data terminal via said telephone line to alert the called party to said call, receiving a message from said data terminal via said telephone line, the received message including a call disposition election made by said called party for said call, and in response to said call disposition election, initiating the termination of said call.

5. Regarding claim 42 - A method of processing a telephone call from a calling party intended for a called party whose telephone line is in use by a data terminal, said data

terminal having an established connection to the Internet via said telephone line, comprising the steps of: in response to the placement of a call intended for said called party, sending a message to said data terminal via said telephone line to alert the called party to said call, and receiving a message from said data terminal via said telephone line, the received message including a call disposition election made by said called party for said call.

6. Regarding claim 57 - A method of processing a telephone call from a calling party intended for a called party whose telephone line is in use by a data terminal, said data terminal having an established connection to the Internet via said telephone line, the method comprising the steps of: sending a message to said data terminal via said telephone line to alert the called party to said call; and receiving a message from said data terminal via said telephone line, the received message including a call disposition election made by said called party for said call.

Each independent claim identifies uniquely distinct features, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

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Claims 1-57 being allowable, **Prosecution On The Merits Is Closed** in this application.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Dulman (US 5,915,008) discloses a system and method for changing advanced intelligent network services from customer premises equipment.
2. DuVal (US 5,818,836) discloses a method and apparatus for anonymous voice communication using an online data service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (703) 306-5420. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (703) 305-4744. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

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(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Receptionist (Sixth floor)

Crystal Park 2

2121 Crystal Drive

Arlington, VA.

John Pezzlo

19 August 2004